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**FACSIMILE COVER SHEET****DATE:** December 21, 2005**TO:** Examiner WILLIAMS, Lawrence B. **FAX NO.:** 571-273-8300  
USPTO GPAU 2638**FROM:** Jeffrey G. Toler  
Reg. No.: 38,342**RE U.S. App. No.:** 09/903,040, filed July 10, 2001**Applicant(s):** Daniel L. Moore**Atty Dkt No.:** 1087-RIO445 (18235-05005)**Title:** APPARATUS AND METHOD TO SYNCHRONIZE MULTIMEDIA  
PLAYBACK OVER A NETWORK USING OUT-OF-BAND  
SIGNALING**NO. OF PAGES (including Cover Sheet):** 22**MESSAGE:**

Attached please find:

- ☒ Transmittal Form (1 pg)  
☒ Reply to Non-Final Office Action (20 pgs)

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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/903,040	
	Filing Date	July 10, 2001	
	First Named Inventor	09/903,040	
	Art Unit	2638	
	Examiner Name	WILLIAMS, Lawrence B.	
Total Number of Pages in This Submission	22	Attorney Docket Number	1087-RIO445 (18235-05005)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	TOLER, LARSON & ABEL, LLP		
Signature	<i>Chad M. Herring</i>		
Printed name	Chad M. Herring		
Date	12-21-2005	Reg. No.	41,067

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Signature	<i>Emma L. Meyer</i>
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Daniel L. Moore

Title: APPARATUS AND METHOD TO SYNCHRONIZE MULTIMEDIA  
PLAYBACK OVER A NETWORK USING OUT-OF-BAND SIGNALING

App. No.: 09/903,040 Filed: July 10, 2001

Examiner: WILLIAMS, LAWRENCE B. Group Art Unit: 2638

Atty. Dkt No.: 1087-RIO445 (18235-05005) Confirmation No.: 9909

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**M/S AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY TO NON-FINAL OFFICE ACTION**

Dear Sir:

In response to the Non-Final Office Action mailed September 27, 2005, the following amendments and remarks are submitted:

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